

# **TOWN OF NEWSTEAD - PLANNING BOARD MINUTES**

## **January 17, 2005**

PRESENT: Tom Cowan, Chairman  
John Potera  
Terry Janicz  
Rick Meahl  
Andy Kelkenberg  
Rebecca Baker, Zoning Officer  
Christine Falkowski, Planning Board Clerk

The Planning Board meeting was called to order by Tom Cowan at 7:50PM.

### **Dollar General Store - Pre-Application Conference for Site Plan**

12836 Main Road (next to McDonald's)

Glen Cooley, Engineer for DOT Development, and George Burg, property owner, attended the meeting. Mr. Burg plans to subdivide one lot; 150' fronting on Main Road with a 25' piece fronting on Buell Street. Recommended to Mr. Burg: (1) Change the creation of a 25' flaglot to 30' which is the proposed frontage for the upcoming flaglot ordinance and (2) Since he is splitting off 150' instead of the entire 188' frontage, consider making the remaining 38' strip 66' instead, which would be the required size for a road.

Photographs provided by Wendel of the stores in Evans and Hamburg were reviewed. This parcel would be sold to DOT Development, who plans to build a 9100 square foot retail store and lease it to Dollar General. A preliminary site plan plotted with McDonald's and Uni-Mart was reviewed with the new Route 5 Overlay Zone addressing:

**Cross-Cuts** - McDonald's will be asked to consider making provisions to accept a cross cut driveway and/or sidewalk to connect both businesses.

**Zoning Chart on Site Plan** - We requested a zoning chart be put on the site plan detailing zoning requirements and compliance. They have done this for a previous Dollar Store.

**Reverse Plan** – Can the plan be flip-flopped so that parking is on the right, with the driveway cut staying to the west as it is shown? This could create a blind turn for delivery trucks backing in.

**Screening** – Dumpster and AC units must be screened from the road.

**Landscaping** - at ground sign (flowers) and existing tree must be plotted. If plan cannot be flip-flopped, the 5' landscape edge at the west side of building will not work; 18" – 24" would be better.

**Curb cuts** – are there any directly opposite (south side of Main)?

**Parking** - 46 parking spaces required; 27 are provided on the plan, leaving 19 short. Solve by creating an additional 7 permanent spaces and land banking (show on plan) a spot for 10 – 12 spaces. Variance not recommended.

**Signage** - internally lit signs (including ground sign) must go off at closing time. The smaller yellow sign (no black) on the building is preferred. A total of 400 square feet of signage is allowed on one site; the ground sign is OK at 32 square feet each side.

**Windows** – plan calls for less than the 35% minimum required by the Overlay. Mr. Cooley offered to break up architecturally.

**Roof** - flat roofs are not allowed. Mr. Cooley indicated that a sloped roof is planned.

**Drainage pond** - must be a dry pond-for a temporary rain event only. 9100 square feet requires a stormwater prevention plan and application to the NYS DEC.

**Color** – gray split-face block

**Distance between Driveways** – The 330' guideline in the Overlay is the NYS DOT's recommendation. The developer must obtain a driveway permit from them, at which time their distance requirements will be known.

#### **Minutes Review**

Rick motioned to approve the minutes of January 3<sup>rd</sup>, seconded by John and all approved.

#### **New Member**

Mark Decker is no longer a Planning Board member as he has become a member of the Town Board. Tom will be absent for the February 21<sup>st</sup> meeting (Becky also). Moving the meeting to February 28<sup>th</sup> is not an option, as he will still be out of town. Andy will be absent the month of February. Will we have a quorum? Any ideas for new member? John suggested Matt Karcher so that we have greater representation from the farming community. Place an ad in the paper?

#### **Ivy Ridge Golf Course update**

The Planning Board already recommended approval of the site plan contingent upon Wendel's approval. This was received on January 14<sup>th</sup>; therefore, a memo recommending approval to the Town Board will be prepared. The public hearing for the special use permit is scheduled for Monday, January 24<sup>th</sup>.

#### **Special Use Permit Renewals for 2005**

Used Auto Dealers:

11372 Main Road – George Hauer

13722 Main Road – Richard Belotta

Both do not appear to be viable operations or abandoned. Renew again? This was discussed, and it was decided that the same letter would be sent asking them to request renewal in writing. If they request renewal, we will address then.

Buffalo Drilling's special use permit for their soil lab needs renewal. This project began in 2003, is incomplete, has no Final C/O, and all permit conditions have not been met. They submitted a building permit application with a site plan last week for a 1,350 square foot cold storage shed. The Overlay District would be inconsequential to this project, but since it is a commercial expansion on Route 5, they must come to the next Planning Board meeting for site plan amendment approval.

#### **Special Use Permits in RA Zone for Home Based Businesses**

The draft outline was revised and discussed again. Christine will type up revisions in the form of a memo of recommendation to the Town Board and for Nathan to review for Code.

**Next meeting: Monday, February 7, 2005**

**Agenda deadline: Friday, January 28, 2005**

Terry made a motion to adjourn the meeting at 10:00PM, seconded by John and all approved.

Respectfully submitted,

Christine Falkowski  
Recording Secretary